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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,139	05/29/2001	Fumiaki Maruyama	107242-00017	3293
4372	7590	10/06/2006	EXAMINER MAI, ANH D	
ARENT FOX PLLC 1050 CONNECTICUT AVENUE, N.W. SUITE 400 WASHINGTON, DC 20036			ART UNIT 2814	PAPER NUMBER

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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09856,139	05/29/2001	Fumiaki Maruyama	107242-00017

**EXAMINER**

Mai, Anh D

**ART UNIT****PAPER**

2814

20060927

**DATE MAILED:**

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**Commissioner for Patents**

The information disclosure statement filed September 20, 2006 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the IDS was filed after the filing of the Appeal Brief. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

  
**ANH D. MAI**  
**PRIMARY EXAMINER**